

1 **UNITED STATES DISTRICT COURT**
2 **FOR THE**
3 **MIDDLE DISTRICT OF PENNSYLVANIA**

4 CAROLYN THOMAS,

5 Plaintiff

7 v.

8 MIDLAND CREDIT
9 MANAGEMENT, INC., MIDLAND
10 FUNDING, LLC, and ENCORE
CAPITAL GROUP, INC.

11 Defendants
12 _____

)
)
)
)
) **Case No.:**
)
) **COMPLAINT AND DEMAND FOR**
) **JURY TRIAL**
)
) **(Unlawful Debt Collection Practices)**

13 **COMPLAINT**

14 CAROLYN THOMAS (“Plaintiff”), by and through her attorneys,
15
16 KIMMEL & SILVERMAN, P.C., alleges the following against MIDLAND
17 CREDIT MANAGEMENT, INC., MIDLAND FUNDING, LLC and ENCORE
18 CAPITAL GROUP, INC. (“Defendants”):

19 **INTRODUCTION**

20
21 1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices
22 Act, 15 U.S.C. §1692 *et seq.* (“FDCPA”).

23 **JURISDICTION AND VENUE**

24 2. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d),
25 which states that such actions may be brought and heard before “any appropriate

1 United States district court without regard to the amount in controversy,” and 28
2 U.S.C. § 1331 grants this court original jurisdiction of all civil actions arising
3 under the laws of the United States.
4

5 3. Defendants conduct business in the Commonwealth of Pennsylvania
6 and as such, personal jurisdiction is established.

7 4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).
8

9 **PARTIES**

10 5. Plaintiff is a natural person residing in Mercersburg, Pennsylvania
11 17236.

12 6. Plaintiff is a “consumer” as that term is defined by 15 U.S.C.
13 §1692a(3).
14

15 7. Defendant Midland Credit Management, Inc. (“Defendant MCM”) is
16 a national debt collection company with its corporate headquarters located at 8875
17 Aero Drive, Suite 200, San Diego, CA 92123.
18

19 8. Defendant Midland Funding, LLC (“Defendant Midland”) is a
20 national debt collection company with its corporate headquarters located at 8875
21 Aero Drive, Suite 200, San Diego, CA 92123.
22

23 9. Defendant Encore Capital Group, Inc. (“Defendant Encore”) is a
24 national debt collection company with its corporate headquarters located at 8875
25 Aero Drive, Suite 200, San Diego, CA 92123.

1 10. Defendants are each a “debt collector” as that term is defined by 15
2 U.S.C. § 1692a(6), and sought to collect a consumer debt from Plaintiff.
3

4 11. Defendants acted through their agents, employees, officers, members,
5 directors, heirs, successors, assigns, principals, trustees, sureties, subrogees,
6 representatives, and insurers.
7

8 **FACTUAL ALLEGATIONS**

9 12. At all pertinent times hereto, Defendants were collecting a consumer
10 debt and attempted to collect that debt from Plaintiff.

11 13. The debt arose out of transactions that were primarily for personal,
12 family, or household purposes.
13

14 14. Upon information and belief, at all times set forth herein, Defendant
15 MCM was acting on behalf of Defendants Midland and Encore.

16 15. On or about October 15, 2010, Defendant MCM sent Plaintiff
17 correspondence seeking and demanding payment of a debt allegedly owed to
18 Target National Bank, which had been purchased by Defendant Midland. See
19 Exhibit A, Defendant MCM’s October 15, 2010, letter to Plaintiff.
20

21 16. Defendant MCM continued to send Plaintiff letters seeking and
22 demanding payment of the alleged debt, offering payment plans in order to induce
23 Plaintiff into making payment. See Exhibit B, Defendant MCM’s December 16,
24 2010, letter to Plaintiff, and Exhibit C, Defendant MCM’s January 27, 2011, letter
25

1 to Plaintiff.

2 17. Defendant MCM continually changed its options claiming one month
3 it would accept monthly payments as low as \$50.00 and the following month
4 claiming that it could only accept monthly payments as low as \$100.00. See
5 Exhibits B and C.

7 18. Upon information and belief, Defendant MCM misled Plaintiff as to
8 the minimum monthly payment it could accept, and that Defendant MCM was
9 authorized to accept monthly payments lower than the amounts stated in its letters.

11 19. Desiring to stop the collection letters, Plaintiff made payment
12 arrangements with Defendant MCM to make a minimum payment of \$50.00 on
13 the last day of each month. See Exhibit D, Defendant MCM's February 1, 2011,
14 letter to Plaintiff.

16 20. Plaintiff made payments in February 2011, March 2011, and April
17 2011; however, Defendant MCM continually withdrew Plaintiff's monthly
18 payment prior to the last day of each month, as had been agreed.

20 21. Then, in April 2011, Defendant MCM contacted Plaintiff and
21 demanded that she agree to a settlement of the outstanding debt over the phone.

22 22. The amounts Defendant MCM claimed were owed as well as the
23 amount that it was willing to accept to settle the alleged debt varied throughout the
24 telephone conversation.
25

1 23. Concerned that she may be a victim of a scam, Plaintiff cancelled the
2 card she had been using to make the monthly payments and made no further
3 monthly payments.
4

5 24. Then, on or about July 13, 2011, Defendant MCM sent
6 correspondence to Plaintiff seeking and demanding payment of the alleged debt.
7 See Exhibit E, Defendant MCM's July 13, 2011, letter to Plaintiff.
8

9 25. Desiring to stop Defendant MCM's collection activity, Plaintiff once
10 again agreed to make \$30.00 monthly payments. See Exhibit F, Defendant
11 MCM's July 18, 2011, letter to Plaintiff.
12

13 26. Plaintiff continued making payments on the alleged account, making
14 her last payment on October 27, 2011. See Exhibit G, Defendant MCM's
15 November 9, 2011, letter to Plaintiff.
16

17 27. Then, on or before November 8, 2011, Defendant MCM contacted
18 Plaintiff and advised her that it could no longer accept \$30.00 monthly payments.
19

20 28. Defendant MCM demanded that Plaintiff provide a valid credit card
21 number in order to settle this alleged debt.
22

23 29. Defendant MCM acknowledged that it was no longer honoring the
24 payment arrangements it had made with Plaintiff in July 2011.
25

26 30. Thereafter, on November 8, 2011, Plaintiff received correspondence
27 from Defendant MCM claiming to be the "SERVICER" for the Target National
28

1 Bank account, which had allegedly been purchased by Defendant Midland. See
2 Exhibit H, Defendant MCM's November 8, 2011, letter to Plaintiff.

3
4 31. Defendant MCM demanded payment of the current balance,
5 \$5,401.91. See Exhibit H.

6 32. Plaintiff was confused, as she had been making monthly payments on
7 the alleged debt and did not understand why Defendant MCM was now
8 demanding payment of the full balance.
9

10 33. Upon information and belief, Defendant MCM falsely claimed it
11 could not accept payments of \$30.00 a month, when in fact, it had authority from
12 Defendants Midland and Encore to accept \$30.00 a month.
13

14 34. Defendant deceptively claimed it could not accept payments of
15 \$30.00 a month in order to cause Plaintiff to agree to make a higher monthly
16 payment.
17

18 35. Then, on the following day, November 9, 2011, Defendant sent
19 Plaintiff correspondence titled, "STATEMENT," and stating that the last payment
20 it received was on October 27, 2011, and that her next payment of \$30.00 was due
21 on November 30, 2011. See Exhibit G.
22

23 36. Plaintiff was confused as to why Defendant MCM was claiming that
24 it could not accept a \$30.00 monthly payment from her, but then informing her
25 that her next monthly payment of \$30.00 was due at the end of the month.

39. Defendant contacted Plaintiff, on average, two times a day, causing Plaintiff to regularly receive more than ten (10) collection calls a week.

41. Specifically, on April 25, 2011, Defendant contacted Plaintiff at 6:55 a.m.

42. Upon information and belief, Defendant called Plaintiff on a repetitive and continuous basis with the intent of harassing Plaintiff into paying this debt.

43. The FDCPA is a strict liability statute. Taylor v. Perrin, Landry, deLaunay & Durand, 103 F.3d 1232 (5th Cir. 1997). “Because the Act imposes

1 strict liability, a consumer need not show intentional conduct by the debt collector
2 to be entitled to damages.” Russell v. Equifax A.R.S., 74 F. 3d 30 (2d Cir. 1996);
3 see also Gearing v. Check Brokerage Corp., 233 F.3d 469 (7th Cir. 2000) (holding
4 unintentional misrepresentation of debt collector’s legal status violated FDCPA);
5 Clomon v. Jackson, 988 F. 2d 1314 (2d Cir. 1993).

7 44. The FDCPA is a remedial statute, and therefore must be construed
8 liberally in favor of the debtor. Sprinkle v. SB&C Ltd., 472 F. Supp. 2d 1235
9 (W.D. Wash. 2006). The remedial nature of the FDCPA requires that courts
10 interpret it liberally. Clark v. Capital Credit & Collection Services, Inc., 460 F. 3d
11 1162 (9th Cir. 2006). “Because the FDCPA, like the Truth in Lending Act (TILA)
12 15 U.S.C §1601 *et seq.*, is a remedial statute, it should be construed liberally in
13 favor of the consumer.” Johnson v. Riddle, 305 F. 3d 1107 (10th Cir. 2002).

16 45. The FDCPA is to be interpreted in accordance with the “least
17 sophisticated” consumer standard. See Jeter v. Credit Bureau, Inc., 760 F.2d 1168
18 (11th Cir. 1985); Graziano v. Harrison, 950 F. 2d 107 (3rd Cir. 1991); Swanson v.
19 Southern Oregon Credit Service, Inc., 869 F.2d 1222 (9th Cir. 1988). The FDCPA
20 was not “made for the protection of experts, but for the public - that vast multitude
21 which includes the ignorant, the unthinking, and the credulous, and the fact that a
22 false statement may be obviously false to those who are trained and experienced
23 does not change its character, nor take away its power to deceive others less
24
25

1 experienced.” Id. The least sophisticated consumer standard serves a dual
2 purpose in that it ensures protection of all consumers, even naive and trusting,
3 against deceptive collection practices, and protects collectors against liability for
4 bizarre or idiosyncratic interpretations of collection notices. Clomon, 988 F. 2d at
5 1318.
6

7
8 **COUNT I**
9 **DEFENDANTS VIOLATED THE**
10 **FAIR DEBT COLLECTION PRACTICES ACT**

11 46. In their actions to collect a debt, Defendants violated the FDCPA in
12 one or more of the following ways:

- 13 a. Defendants violated the FDCPA generally;
- 14 b. Defendants violated §1692c(a)(1) of the FDCPA when
15 communicating with Plaintiff at a time or place that it knew or
16 should have known was inconvenient;
- 17 c. Defendants violated §1692d of the FDCPA when they harassed,
18 oppressed or abused Plaintiff in connection with the collection of a
19 debt;
20
- 21 d. Defendants violated §1692d(5) of the FDCPA when they caused
22 Plaintiff’s telephone to ring repeatedly and continuously with the
23 intent to annoy, abuse or harass Plaintiff;
24
- 25 e. Defendants violated §1692e of the FDCPA when they used false,

1 deceptive, or misleading representations in connection with the
2 collection of a debt;

3
4 f. Defendants violated §1692e(10) of the FDCPA when they used
5 false representations or deceptive means in its attempt to collect a
6 debt; and

7
8 g. Defendants violated §1692f of the FDCPA when they used unfair
9 and unconscionable means in connection with the collection of a
10 debt.

11 WHEREFORE, Plaintiff, CAROLYN THOMAS, respectfully prays for a
12 judgment as follows:

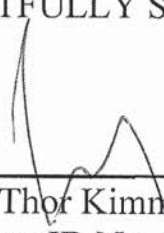
- 13
14 a. All actual damages suffered pursuant to 15 U.S.C. § 1692k(a)(1);
15 b. Statutory damages of \$1,000.00 for the violation of the FDCPA
16 pursuant to 15 U.S.C. § 1692k(a)(2)(A);
17 c. All reasonable attorneys' fees, witness fees, court costs and other
18 litigation costs incurred by Plaintiff pursuant to 15 U.S.C. §
19 1693k(a)(3); and
20 d. Any other relief deemed appropriate by this Honorable Court.

21 **DEMAND FOR JURY TRIAL**

22 PLEASE TAKE NOTICE that Plaintiff, CAROLYN THOMAS, demands a
23 jury trial in this case.
24
25

RESPECTFULLY SUBMITTED,

Date: Jan. 2, 2012

By: 
Craig Thor Kimmel
Attorney ID No. 57100
Kimmel & Silverman, P.C.
30 E. Butler Pike
Ambler, PA 19002
Phone: (215) 540-8888
Fax: (877) 788-2864
Email: kimmel@creditlaw.com



Dept. 12421
PO Box 603
Oaks, PA 19456



10-15-2010

#BWNHLTH
#0000 0853 6404 1831#
CAROLYN THOMAS

18378 - 267

00200

**40% Discount Offer**

MCM Account Number
4183
Original Creditor
TARGET NATIONAL BANK
CURRENT BALANCE
\$5,444.84
PAYMENT DUE DATE
11-29-2010

■ No additional interest will be charged to your account.

■ All collection calls and letters on this account will stop.

■ You will get rid of this debt and get on with your life.

■ We will notify the credit bureaus the debt is **PAID IN FULL.***

Dear CAROLYN THOMAS,

Midland Funding LLC has purchased your TARGET NATIONAL BANK account and Midland Credit Management, Inc. ("MCM"), a debt collection company, is the new servicer of this obligation.

We are offering you THREE payment options. All will save you money. All will make it easier to resolve this account.

PLAN 1: Settle in Full

Discount: 40% off
Payment Amount: \$3,266.90
Save: \$2,177.94!

PLAN 2: Monthly Payments

Discount: 25% off
Monthly Payment Amount: \$340.30
of months: 12

PLAN 3: Monthly Payments

Discount: 10% off
Monthly Payment Amount: \$204.18
of months: 24

Simply mail the Payment Coupon below along with your payment in the envelope provided. Please mail your payment by 11-22-2010 to be sure it reaches us by the due date of this offer, 11-29-2010.

Hours of Operation:
M-Th 6am - 7pm; Fri 6am - 5pm;
Sat 6am - Noon PST

If you aren't able to take advantage of these offers, please call an Account Manager at (800) 825-8131. We may have other options to help you resolve this account.

Sincerely,

Midland Credit Management, Inc.
(800) 825-8131

NOTICE: PLEASE SEE REVERSE SIDE FOR IMPORTANT INFORMATION

Please tear off and return lower portion with payment in the envelope provided

Payment Coupon

MCM Account No.: 14183
Current Balance: \$5,444.84

Payment Due Date: 11-29-2010
Amount Enclosed: _____

Make check payable to:
Midland Credit Management, Inc.

Payment Options:

- 1) Mail in this coupon with your payment
- 2) Pay by phone (800) 825-8131



Midland Credit Management, Inc.
P.O. Box 60578
Los Angeles, CA 90060-0578



18078 - LT1B - 267

PMP-311-AU

Return Mail Only - No Correspondence

mcmDepartment 12421
PO Box 603
Oaks, PA 19456

12-16-2010

#BWNHLTH

#0000 0853 6404 1831#

CAROLYN THOMAS

MCM Account Number

4183

Original Creditor

TARGET NATIONAL BANK

CURRENT BALANCE

\$5,495.91

Hours of Operation:

M - Th 6am - 7pm; Fri 6am - 5pm;

Sat 6am - noon PST

Choose The Option That Works For You.

Dear CAROLYN,

Midland Credit Management, Inc., understands a one-size payment plan doesn't fit everyone's needs. Special offers are now available to help you resolve your unpaid TARGET NATIONAL BANK account. Select one of the three options below and get closer to having one less thing to worry about.

Option 1: 40% OFF

Payment Due Date: 01-15-2011

You Pay Only

\$3,297.55**Option 2: 20% OFF**

First Payment Due Date: 01-15-2011

6 Monthly Payments of Only

\$732.78**Option 3: Monthly Payments As Low As:**

Call today to discuss your options and get more details.

\$50 per month!

If these options don't work for you, call one of our Account Managers to help you set up a payment plan that does.

Sincerely,

Midland Credit Management
(800) 282-2644

Pay your bill online and view additional offers -
log on to www.mcmpayments.com today!

PLEASE SEE REVERSE SIDE FOR IMPORTANT INFORMATION.

*Please tear off and return lower portion with payment in the envelope provided***PAYMENT COUPON**

MCM Account No.: 4183
Original Account No.: 4352371737171539
Current Balance: \$5,495.91

Payment Due Date: 01-15-2011

Amount Enclosed: _____

Payment Options:

- 1) Mail in this coupon with your payment
- 2) Pay by phone (800) 282-2644

Make Check Payable to:

Midland Credit Management, Inc.

mcm

Midland Credit Management, Inc.

P.O. Box 60578

Los Angeles CA 90060-0578



Return Mail Only - No Correspondence
 Dept. 12421
mcm
 PO Box 603
 Oaks, PA 19456



01-27-2011



#BUNHLTH
 #0000 0653 6404 1631#
 CAROLYN THOMAS

3944 - 10262

02534

**MCM Account Number**

4183

Original Creditor

TARGET NATIONAL BANK

CURRENT BALANCE

\$5,531.07

Hours of Operation:

M-Th 6am - 7pm; Fri 6am - 5pm;

Sat 6am - Noon PST

Choose The Option That Works For You.

Dear CAROLYN,

Midland Credit Management, Inc., understands a one-size payment plan doesn't fit everyone's needs. Special offers are now available to help you resolve your unpaid TARGET NATIONAL BANK account. Select one of the three options below and get closer to having one less thing to worry about.

Option 1: 40% OFF

Payment Due Date: 02-26-2011

You Pay Only

\$3,318.64**Option 2: 20% OFF**

First Payment Due Date: 02-26-2011

12 Monthly Payments of Only

\$368.73**Option 3: Monthly Payments As Low As:****\$100 per month***

† Call today to discuss your options and get more details.

If these options don't work for you, call one of our Account Managers to help you set up a payment plan that does.

Sincerely,

Midland Credit Management
 (800) 282-2644

Pay your bill online and view additional offers-
 log on to www.mcmpayments.com today!

Benefits of Paying!

- We will stop applying interest to your account!
- Your credit report will be updated with the payments made!*
- Once you make your agreed-upon payments to settle your account, your credit report will be updated as 'Paid in Full'!*

CALL US TODAY!**(800) 282-2644**

* Your credit report will not be updated if the federal reporting period has expired.

PLEASE SEE REVERSE SIDE FOR IMPORTANT INFORMATION

Please tear off and return lower portion with payment in the envelope provided

PAYMENT COUPON

MCM Account No.: 4183
 Original Account No.: 1539
 Current Balance: \$5,531.07

Payment Due Date: 02-26-2011

Amount Enclosed: _____

Payment Options:

- 1) Mail in this coupon with your payment
- 2) Pay by phone (800) 282-2644

Make Check Payable to:

Midland Credit Management, Inc.

mcm Midland Credit Management, Inc.

P.O. Box 60578

Los Angeles, CA 90060-0578



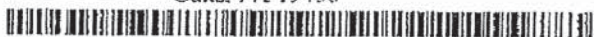
ALL-STATE LEGAL®

**PLAINTIFF'S
EXHIBIT****C**

3944 - PMP3 - 10262

PMP-628-C-0

Return Mail Only - No Correspondence

mcmDept. 12421
PO Box 603
Oaks, PA 19456

02-01-2011



2344-508

#BWNHLTH
#0000 0853 6404 1831#
CAROLYN THOMAS

Contact Information: Tel (800) 265-8825

Hours of Operation: Sat-Th 5am - 2pm PST;
Current Owner: Midland Funding LLC
Original Creditor: TARGET NATIONAL BANK
Original Account No.: 1539MCM Account No.: 4183
Current Balance: \$5,536.93
Payment Due Date: 02-28-2011

Dear CAROLYN THOMAS.

This letter confirms the payment arrangement you previously agreed to on the above referenced account. The agreed upon terms are as follows:

Minimum Payment Amount:	\$50.00
Due Date:	last day of each month
Payment terms for the remaining Balance Due:	To be determined
Total Balance Due:	\$5,536.93

Your first payment is due on 02-28-2011. After we receive this initial payment, a billing statement will be sent to you each month during the agreed upon payment period.

Please be advised, interest is being charged by the owner of your account at a rate of 6% per annum, but will not be applied to your Current Balance as long as we receive the Minimum Payment Amount by the Due Date, and satisfactory arrangements are made to timely pay off the remainder of the Current Balance. In the event you fail to complete arrangements, this agreement will no longer be accepted and interest will be applied from the date it was stopped and added to the Current Balance.

When your account has been paid in full, we will instruct the three major consumer reporting agencies to update your credit bureau report with a paid status.* Should you have any questions regarding your payment arrangement, please call me immediately at (800) 265-8825 Ext.53303.

PLEASE SEE REVERSE SIDE FOR IMPORTANT INFORMATION

Sincerely,

Garry Craig X53303, C407 Ext.53303

Account Manager

*Your credit report will not be updated if the federal reporting period has expired.

*Please tear off and return lower portion with payment in envelope provided***Payment Certificate**MCM Account Number: 4183
Current Balance: \$5,536.93
Amount Due: \$50.00
Payment Due Date: 02-28-2011

Payment Options:

- 1) Make Check Payable to: Midland Credit Management, Inc.
- 2) Money Gram: Receive Code #3643
- 3) Western Union City Code: MCM, State Code: CA
- 4) Pay by Phone (800) 265-8825

mcmMidland Credit Management, Inc.
P.O. Box 60578
Los Angeles, CA 90060-0578

Return Mail Only - No Correspondence

mcmDept. 12421
PO Box 603
Oaks, PA 19456

07-13-2011

Contact Information: Tel (888) 327-0001
Hours of Operation: M-F 5am - 4:30pm PSTMCM Account No.: 8536404183
Original Creditor: TARGET NATIONAL BANK
Original Account No.: 1539
Current Balance: \$5,521.91

Payment Due Date: 08-12-2011



#BWNH1 TH

2344-1759



CAROLYN THOMAS

Dear CAROLYN THOMAS,

We would like to thank you for your previous payment on your account. Our records indicate that you have not made a payment in the last 35 days. Your previous effort to make payment on this account has proven you are interested in resolving this debt. We understand there are situations that may have prevented you from paying last month and would like to offer you the opportunity to resolve your account.

To re-establish a positive payment history with us, the following options are available:

- Call one of our Account Managers today at (888) 327-0001 to discuss your account and set up a payment arrangement.
- Mail your payment using the Payment Certificate below in the envelope provided.

Please understand this is a communication from a debt collector. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Sincerely,

Midland Credit Management, Inc.

Please see reverse side for important information

Please tear off and return lower portion with payment in envelope provided

Payment Certificate

CAROLYN THOMAS

MCM Account Number: 4183

Current Balance: \$5,521.91

Minimum Amount Due: \$50.00

Make Check Payable to: Midland Credit
Management, Inc.

Payment Due Date: 08-12-2011

mcmMidland Credit Management, Inc.
P.O. Box 60578
Los Angeles, CA 90060-0578

1759



LT72

4583-A-4

Return Mail Only - No Correspondence

mcm

Dept. 12421
PO Box 603
Oaks, PA 19456



07-18-2011

Contact Information: Tel (800) 265-8825

Hours of Operation: Sat-Th 5am - 2pm PST;
Original Creditor: TARGET NATIONAL BANK
Original Account No.: 1539
MCM Account No.: 4183
Current Balance: \$5,521.91



#BWNHLTH



CAROLYN THOMAS

Dear CAROLYN THOMAS,

Please be advised that the credit card # ending 4202 that you provided in order to make a payment on the above-referenced account, will be charged \$30.00 on 07-28-2011 as authorized by you.

Thank you for maintaining your payment arrangement with Midland Credit Management, Inc.

Please understand this communication is from a debt collector. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Calls to and/or from this company may be monitored or recorded.

Sincerely,

Sam Williams X 52454,C475
(800) 265-8825
Account Manager

MAIL PAYMENTS TO: P.O. Box 60578, Los Angeles, CA 90060-0578

MAIL CORRESPONDENCE BUT NO PAYMENTS TO: MCM's business address at 8875 Aero Drive, Suite 200, San Diego, CA 92123



Return Mail Only - No Correspondence

mcmDept. 12421
PO Box 603
Oaks, PA 19456

11-09-2011



#BINHI TU

2344-1498



CAROLYN THOMAS

Contact Information: Tel (800) 265-8825
Hours of Operation: Sat-Th 5am - 2pm PST;Original Creditor: TARGET NATIONAL BANK
Original Account No.: 1539MCM Account No.: 4183
Current Balance: \$5,401.91Please Direct Any Correspondence to
8875 Aero Drive, Suite 200, San Diego, CA 92123
and Include Account Number.Please send payments to PO Box 60578
Los Angeles, CA 90060-0578**STATEMENT**

Account # 4183

Statement Date: 11-09-2011

PAYMENT DUE**11-30-2011**

Please understand that if we do not receive the payment amount by the due date as previously agreed upon, your agreed upon payment arrangement will no longer be valid. If that happens, you will need to contact Midland to discuss a new payment arrangement.

Due Date

11-30-2011

Current Balance

\$5,401.91

Agreed-Upon Settlement
Amount

\$5,401.91

Payment Amount

\$30.00

Last Payment Received

10-27-2011

Amount Last Received

\$30.00

*Make Your Check Payable
To:***Midland Credit Management,
Inc.****TOTAL AMOUNT DUE**

\$30.00

Please understand this is a communication from a debt collector. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Calls to and/or from this company may be monitored or recorded.

Should you have any questions, please call (800) 265-8825.

*Please tear off and return lower portion with payment in envelope provided - DO NOT STAPLE***Payment Slip**

MCM Account Number: 4183

Original Account No.: 1539

Current Balance: \$5,401.91

Amount Due: \$30.00

Payment Options:

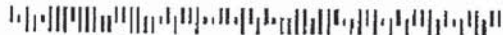
- 1) Make Check Payable to: Midland Credit Management, Inc.
- 2) Money Gram: Receive Code #3643
- 3) Western Union City Code: MCM, State Code: CA
- 4) Pay by Phone (800) 265-8825

mcmMidland Credit Management, Inc.
P.O. Box 60578
Los Angeles, CA 90060-0578

Return Mail Only - No Correspondence

mcmDept. 12421
PO Box 603
Oaks, PA 19456

11-08-2011



2344-455

#RNNH TH

#

CAROLYN THOMAS

Contact Information: Tel (800) 265-8825

Hours of Operation: Sat-Th 5am - 2pm PST;
Current Owner: Midland Funding LLC
Original Creditor: TARGET NATIONAL BANK
Original Account No.: 1539MCM Account No.: 4183
Current Balance: \$5,401.91
Payment Due Date: UPON RECEIPT

Dear CAROLYN THOMAS,

Midland Credit Management, Inc. is the **SERVICER** of the above-mentioned **TARGET NATIONAL BANK** account. This is a demand for payment. Please include a check or money order for the Current Balance due. Once the balance has been received, the three major credit reporting agencies will be notified that the account is paid in full.*

Please do not hesitate to contact me at (800) 265-8825, Ext.52454 if you have any questions.

Please understand this is a communication from a debt collector. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Calls to and/or from this company may be monitored or recorded.

Sincerely,

Sam Williams X52454,C475
Midland Credit Management, Inc.

*Your credit report will not be updated if the federal reporting period has expired.
Las llamadas desde y hasta esta compañía podrán ser monitoreadas o grabadas.

MAIL PAYMENTS TO: P.O. Box 60578, Los Angeles, CA 90060-0578

MAIL CORRESPONDENCE BUT NO PAYMENTS TO: MCM's business address at 8875 Aero Drive, Suite 200, San Diego, CA 92123

Please tear off and return lower portion with payment in envelope provided

Payment Certificate

CAROLYN THOMAS

MCM Account Number: 4183

Current Balance: \$5,401.91

Amount Due: \$5,401.91

Make Check Payable to: Midland Credit
Management, Inc.Payment Due Date: **UPON RECEIPT****mcm**Midland Credit Management, Inc.
P.O. Box 60578
Los Angeles, CA 90060-0578